



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2200873
Applicant Name: Colleen Weston
Address of Proposal: 4118 – Delridge Way SW

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for a two-unit townhouse and construct a two-story townhouse structure with basement garage, alter grade, and construct a retaining wall in an environmentally critical area.

The following approval is required:

SEPA - Environmental Determination – Chapter 25.05, SMC

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site Description

The approximately 6,600 square foot site is located in a Lowrise Duplex/Triplex (LDT) zone on Delridge Way Southwest between Southwest Dakota Street and Southwest Genesee Street. The site fronts on Delridge Way to the west and slopes up towards single family zoned property to the east. The site is designated as an environmentally critical area (landslide prone). According to the topographic survey supplied by the applicant, the site also contains an approximately 4000-square-foot area with steep slopes of 40% to 50% average slope or greater, which is also a type of designated environmentally critical area. Access to the site is from Delridge Way Southwest.

Area Development

Zoning in the immediate vicinity to the north, south, and west is LDT Multifamily zoning. The zoning to the east is Single Family 5000 (SF-5000). Zoning north of Southwest Dakota Street is commercial, including C1/65' (Commercial 1, with a structure height limit of 65 feet) and NC1/40' (Neighborhood Commercial 1, with a structure height limit of 40 feet). The immediate area is developed with single family homes, single family homes converted to multi-family use, and multi-family structures, with an office building in the block across Southwest Dakota Street to the northwest and a community center and school structures in the blocks to the south across Southwest Genesee Street. This proposal site has been designated an environmentally critical area due to landslide-prone conditions and the presence of steep slopes of 40% average slope or greater.

Proposal Description

Master Use Permit to establish use for a two-unit townhouse and construct a two-story townhouse structure with basement garage, alter grade, and construct a retaining wall in an environmentally critical area. Parking for the proposed dwellings will be located in basement garages. Required access will be from Delridge Way Southwest. This review will cover environmental review for any future unit subdivisions. The project includes approximately 600 cubic yards of grading. The ECA steep slope development and landslide development standards apply to the project and site.

Public Comments

No comment letters were received during the official public comment period which ended November 13, 2002.

ANALYSIS - SEPA

The proposal site is located in a landslide-prone and steep slope critical area. Thus, the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the

ECA regulations. This review included identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 8, 2002 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, (soils report), project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts on the identified critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The ECA ordinance and DR 3-93 and 3-94 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Building Code provides for construction measures and life safety issues. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted.

Earth/Soils

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with landslide potential and/or a history of unstable soil conditions. The construction plans, including shoring of excavations as needed and erosion control techniques, will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes (ECA Ordinance, The Stormwater, Grading and Drainage Control Code, DR 3-93, and 3-94) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used. Therefore, no additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces, and loss of plant and animal habitat.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS - SEPA

None required.

Signature: (signature on file) Date: July 1, 2004

William K. Mills, Land Use Planner
Department of Planning and Development
Land Use Services

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